North Central Regional Transit District
Board Meeting
Friday, December 3, 2010

1. CALL TO ORDER:

A regular monthly meeting of the North Central Regional Transit District Board was called to order on the above date by Chair Rosemary Romero at 1:00 p.m. at the Old Taos County Courthouse, 121 Taos Plaza, Taos, New Mexico.

a. Pledge of Allegiance

b. Moment of Silence

c. Roll Call

Roll call indicated the presence of a quorum as follows:

Members Present:

City of Santa Fé	Councilor Rosemary Romero, Chair
Ohkay Owingeh	Ms. Kateri Keevama
Pojoaque Pueblo	Mr. Tim Vigil [telephonically]
Santa Clara Pueblo	Ms. Mary Lou Quintana
Rio Arriba County	Commissioner Elias Coríz
Santa Fé County	Ms. Penny Ellis-Green [telephonically]
Taos County	Commissioner Dan Barrone, Mr. Jacob Caldwell
Tesuque Pueblo	Mr. Larry Samuel

Members Absent

City of Española
Los Alamos County
San Ildefonso Pueblo

Staff Members Present

Ms. Josette Lucero, Executive Director
Mr. Jack Valencia, Transit Project Manager
Ms. Cynthia Halfar, Executive Assistant
Ms. Christina Cordova, Marketing Manager
Ms. Berlinda Ledoux, Finance Manager
Ms. Linda Trujillo, Service Development Manager
Mr. Mitch Davenport, Facility Manager
Mr. Peter Dwyer, Counsel for NCRTD

Others Present
Mr. Mike Kelley, Santa Fé Trails

d. Introductions

Those present introduced themselves.

e. Approval of Agenda

Commissioner Coríz moved to approve the agenda as presented. Commissioner Barrone seconded the motion and it passed by unanimous voice vote.

f. Approval of Board Meeting Minutes, November 5, 2010

Ms. Lucero clarified that it was not a special board meeting but a regular meeting.

Chair Romero moved to approve the minutes of November 5, 2010 as presented. Commissioner Barrone seconded the motion and it passed by unanimous voice vote with Commissioner Coríz abstaining.

g. Public Comments Regarding Transportation Items or Issues

There were no public comments.

Commissioner Barrone announced that Taos does a big community event on December 17th and they needed transportation for seniors and the mariachis with one trip out and one back. The Board approved by consensus allowing them use NCRTD services for this event.

Chair Romero thanked Taos County for providing this space today and for the delightful meal. She thanked Ms. Cordova for making the room festive and for the nice presents and Ms. Lucero for the cookies.

Ms. Cordova said Ms. Trujillo helped her coordinate the gifrts.

2. PRESENTATION ITEMS:

A. Presentation to Honor Board Director Commissioner Elias Coríz

Chair Romero commented that major changes were happening in everyone's lives. Commissioner Coriz has been a Commissioner for eight years and she didn't know who would replace him on the Board. She presented him a gift to honor his work on the Board.

Commissioner Coríz said he was honored to serve and expressed his thanks for the gift upon his departure.

B. Presentation of Senator Tom Udall's Address for Transportation for America

Ms. Lucero said she had the honor of being present at this event. She was pleased that he mentioned the NCRTD in his address.

Ms. Cordova showed a video of Senator Tom Udall's Address for Transportation for America.

Mr. Valencia said reauthorization of the transportation act was being considered. It provided funding for transit across the country. It was now on a continuing resolution and needed the Board members as a voice individually and together to work toward expansion of the appropriations for rural and tribal transit needs.

Chair Romero asked if he needed letters of support or calls to Washington.

Mr. Valencia asked that anytime any member was in DC to please let their support be known to all of the New Mexico delegation. He promised to get an email out and copy to Transportation for America.

Chair Romero urged any pueblos who might be there to do the same. The staff could package some letters together.

Ms. Ellis-Green joined the meeting by phone.

C. Update of The Jim West Transit Center

Ms. Lucero provided an update. As a result of last board meeting they had issued the second bid and it came in within budget not allowing any contingencies and since

that would strain the budget the Board asked staff to go back and look at the bid package. She asked Mr. Davenport to report including the time line.

Chair Romero mentioned that the project narrative was in the packet.

Mr. Davenport said he did the due diligence on lower bidders, going through the documents to ensure compliance and through references. All three were non-responsive regarding the subcontractors' list so they had to throw out all bids and put it out again.

In the second round, the bids were higher and he understood the board was uncomfortable with the inadequate contingency amount.

He recommended going out to bid again and changing the procedure by taking over $200,000 worth of activities to list as alternate add ons. Perhaps they could fund all of them if funds were available.

They would also create an evaluation committee instead of just picking the lowest bidder. He proposed six factors and listed them. Hopefully with this process they would be able to award the bid.

Mr. Valencia noted that they started in January 2009 with this process. They were awarded a planning grant by NMDOT in March 2009. The first mandatory pre bid was June 2010 and they received bids in October.

He anticipated that they could go for pre bid and with the evaluation process make a recommendation soon.

Mr. Caldwell thought this was going to be a great way to proceed and would give them maximum flexibility. The Procurement Code allowed this process and they wouldn't have to take lowest in construction but evaluate on the criteria. There needed to be room for negotiation on costs. The negotiation would be done with best bidder and if they could not reach agreement, they could go to the second. He volunteered to look at the language itself.

I suggested changing the order of the agenda because B dealt with the bid award itself.

Chair Romero agreed they needed to go to D.

Ms. Lucero explained that the Board had to first cancel the current bids.

Mr. Davenport hoped they could get the right language the first time. Cost was 50% of the proposal criteria. He asked if Mr. Caldwell was recommending less.

Mr. Caldwell said he was not but they needed the flexibility of negotiating the figure

down and they would ask for a range of costs for their responses.

Chair Romero liked the malleable terms on costs.

Commissioner Coríz asked about the scope of the base bid.

Mr. Davenport explained the scope and the $200,000 in add ons. The didn't intend to create a priority on add ons but the Board could choose. For the base bid they wanted to make sure they had a workable facility. There would obviously be some sacrifices.

Commissioner Coríz asked if they wouldn't choose other contractors to do the add on items.

Mr. Davenport said it was not the intent. But the parking, e.g. could be done later and could be done by someone else but they would try to use that original contractor. He explained there could be phases but they couldn't sign a contract until they had the money.

Mr. Dwyer joined by phone during the discussion.

ACTION ITEMS FOR APPROVAL/DISCUSSION

D. Approval/Disapproval of Resolution 2010-10: Award of Bid for the Construction of the Jim West Transit Center

Ms. Lucero explained that staff was directed by the Board to find other alternatives to bring in the project under budget ($1.3 million). The bid would not have allowed adequate contingency for it. The proposed action would be to issue an RFQ as detailed in the packet.

She recommended voting down Resolution 2010-10 and approve the new process.

Chair Romero read the new language prepared by the attorney for the suggested motion.

Mr. Valencia clarified that it needed to be taken off the table and voted down first.

Mr. Dwyer agreed with that action.

Commissioner Barrone moved to take Resolution 2010 10 from the table. Chair Romero seconded the motion and it passed by unanimous voice vote with no abstentions.

Mr. Valencia said staff recommended the resolution be voted down.

Commissioner Barrone moved to disapprove Resolution 2010-10. Commissioner Coríz seconded the motion.

Mr. Caldwell said the record should state that it was not in the public interest to accept the bid that was in the resolution. Commissioner Barrone agreed to include that language. The resolution was disapproved by unanimous voice vote.

E. Approval of Resolution 2010-11: Open Meetings Act

Ms. Lucero said staff brought this resolution to the Board every December outlining that the first Friday of each month would be scheduled for the regular board meetings unless a different date was requested.

Commissioner Coríz moved to approve Resolution 2010-11. Commissioner Barrone seconded the motion and it passed by unanimous voice vote.

F. Approval of Resolution 2010-12: Authorizing NCRTD Executive Staff to Seek Capital Outlay and 5309 FTA Discretionary Funding at the 2011 New Mexico Legislative Session

Ms. Lucero explained that this resolution was to seek any capital outlay in next legislative session. She didn't know that it would be beneficial this year given the deficit in the budget but staff would do what the Board wanted them to do.

Commissioner Barrone suggested that the 4th "whereas" should be broadened instead of just expanding services. They might need some for construction.

Mr. Valencia said they submitted a grant application to Udall's office for appropriations. They now had support to go to their delegation throughout the year. Section 5309 was the federal designation and was discretionary which allowed sole source procurement.

Commissioner Barrone moved to approve Resolution 2010-12 as amended. Ms. Quintana seconded the motion and it passed by unanimous voice vote.

DISCUSSION ITEMS

G. Tribal Subcommittee Report

The Tribal Subcommittee did not meet since the last meeting. Mr. Vigil said they would meet in the near future.

H. Finance/Regional Coordination & Consolidation Subcommittee Report

Ms. Lucero said they had extensive discussion on financing options. Staff had been working diligently on it. The next meeting was scheduled for December 17, 2010. The consolidation budget was a favorable one. The Chair wanted them to move forward and bring more information on the 17th.

Chair Romero announced that the meetings were open to the whole Board. The next meeting would be a critical meeting and she encouraged all board members to attend.

Regarding the issue of what was local and what was regional, she put together a task force when they met in Pojoaque that included Mr. Mortillaro, Mr. Caldwell, Mr. Bulthuis, Mr. Vigil, Councilor Seeds and herself.

They would not meet on the 6th because they wouldn't have a quorum. She agreed to coordinate with Mr. Mortillaro on an alternate time, maybe before or after the Finance meeting. Then the task force would report to Finance and then make a recommendation to the Board. People could call in for those meetings.

I. Executive Report for November 2010

Ms. Lucero said the report was in the packet and she would stand for questions.

Chair Romero was very pleased with the level of communication. It was an important aspect of the chair's job. The report had a long list.

J. NCRTD Ridership Report for October 2010

Ms. Lucero said they didn't put the report in the packet because they were going to a quarterly report format and she would send it each month by email to the Board.

Chair Romero reported that September was the highest month ever. The economy downturn meant folks were using the buses more and would continue to do that.

K. Budget & Expenditure Report

Ms. Ledoux reviewed the GRT comparison report which was based on 25% and given by county. She reviewed each county's revenue compared with year-to-date budget. The revenue was well ahead of budget projections.

The second report was a summary budget report. She reviewed the subtotals on budget variances and explained that draw downs for several federal grants were

lagging.

Chair Romero thanked her for a fine job.

MATTERS FROM THE BOARD - Conflict of Interest Disclosure Form

Chair Romero hoped that all of them were signed and turned in and ask any who had not yet signed their form to do so right away.

Chair Romero announced the Neighborhood Law Center workshop on conflict of interest and other issues would be held in Santa Fé on December 9, 2010. She invited members to attend and added that it would give CEU credits to those who needed them.

NEXT BOARD MEETING - January 7, 2011

Chair Romero asked to have the next meeting on January 14th.

Commissioner Barrone asked when the Midwinter NMAC meeting was scheduled.

Mr. Caldwell said it would be on the 17th.

Ms. Lucero said she would find a location if none was available.

Chair Romero asked if they might meet at Buffalo Thunder. Mr. Vigil agreed.

MISCELLANEOUS

Mr. Valencia recalled at the last meeting Commissioner Stefanics requested information on insurance coverage. He reported that NCRTD had auto liability and coverage on property for facilities; general liability, workers' comp, civil rights and E/O.

Secondly on the request for things related to RTD Act he had the information and would share it with members.

Chair Romero thanked everyone for coming and for Taos County for hosting.

ADJOURN

The meeting was adjourned at 2:30 p.m.

Approved by:

Rosemary Romero, Chair

Attest:

Michael Wismer, Secretary

Submitted by: